

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT NEW JERSEY**

**IN RE JOHNSON & JOHNSON TALCUM
POWDER PRODUCTS MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

MDL NO. 16-2738 (MAS) (RLS)

**NOTICE OF ORAL AND VIDEOTAPED DEPOSITION OF PAUL HESS
AND SUBPOENA DUCES TECUM**

PLEASE TAKE NOTICE that, pursuant to Federal Rules of Civil Procedure 45(a) and 30(b), Defendants will take the deposition upon oral examination of Paul Hess. The deposition will commence on **May 29, 2024 at 9:00 am ET at King & Spalding LLP, 1180 Peachtree St., Suite 1600, Atlanta, GA 30309**. The deposition will take place before a court reporter authorized to administer oaths, pursuant to Federal Rule of Civil Procedure 28. The deposition will be recorded on video as well as by ordinary stenographic means. This deposition is being taken for the purposes of discovery, for use at trial, or for such other purposes as are permitted under the Federal Rules of Civil Procedure and other applicable rules.

Pursuant to Federal Rule of Civil Procedure 30(b)(2), the witness is requested to produce true, correct and complete copies of all documents, materials and information listed in Schedule A, no later than two (2) weeks prior to his deposition.

DATED: April 22, 2024

Respectfully submitted,

s/Susan M. Sharko

Susan M. Sharko
FAEGRE DRINKER
BIDDLE & REATH LLP
600 Campus Drive
Florham Park, New Jersey 07932
Telephone: 973-549-7000
Facsimile: 973-360-9831
Email: susan.sharko@faegredrinker.com

s/Gene M. Williams

Gene M. Williams
SHOOK, HARDY & BACON L.L.P.
JPMorgan Chase Tower
600 Travis St., Suite 3400
Houston, TX 77002
Telephone: 713-227-8008
Facsimile: 713-227-9508
Email: gmwilliams@shb.com

s/John H. Beisner

John H. Beisner
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005
Telephone: 202-371-7000
Facsimile: 202-661-8301
Email: john.beisner@skadden.com

*Attorneys for Defendants Johnson & Johnson
and LLT Management, LLC, f/k/a LTL
Management, LLC*

SCHEDULE A

DEFINITIONS

The following definitions apply to this Notice of Deposition and are deemed incorporated into each document request listed below:

1. “You” and “Your” or “witness” shall mean the deponent.
2. The term “Talc Products” shall refer to Johnson’s® Baby Powder and Shower to Shower® cosmetic talc products sold in the United States.
3. The term “Talc” shall refer to any talc used in the Talc Products.
4. The term “Talc Litigation” shall mean the above-captioned Multidistrict Litigation proceeding (“MDL”) and/or any claims or lawsuits involving Talc Products.
5. The term “Document” shall be synonymous in meaning and equal in scope to the usage of the term “documents or electronically stored information” in Fed. R. Civ. P. 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning of this term.
6. The terms “and,” “or” and “and/or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside the scope.
7. “Your Former Laboratory” shall mean Materials Analytical Services (“MAS”) at 3945 Lakefield Ct, Suwanee, GA 30024.

DOCUMENTS TO BE PRODUCED

1. A complete and current copy of Your curriculum vitae (CV) or resume.
2. Any and all Documents and/or Communications (including but not limited to text messages) between You and Dr. William Longo, any employee at MAS, or anyone acting on behalf of MAS related to Your Former Laboratory's methodology, processes, standard operating procedures ("SOPs"), laboratory standards, data, documentation, calculations, or results of its polarized light microscopy ("PLM") preparations of cosmetic talc for the subsequent analysis for the presence of chrysotile during the time that you were employed by MAS.
3. Any and all Documents and/or Communications (including but not limited to text messages) between You and Dr. William Longo, any employee at MAS, or anyone acting on behalf of MAS related to Your Former Laboratory's methodology, processes, SOPs, laboratory standards, data, documentation, calculations, or results of its PLM preparations of cosmetic talc for the subsequent analysis for the presence of chrysotile after the time that you were employed by MAS.
4. Any and all Documents and/or Communications (including but not limited to text messages) between You and Dr. William Longo, any employee at MAS, or anyone acting on behalf of MAS related to Your Former Laboratory's methodology, processes, SOPs, laboratory standards, data, documentation, calculations, or results of its PLM analyses of cosmetic talc for the presence of chrysotile during the time that you were employed by MAS.
5. Any and all Documents and/or Communications (including but not limited to text messages) between You and Dr. William Longo, any employee at MAS, or anyone acting on behalf of MAS related to Your Former Laboratory's methodology, processes, SOPs, laboratory standards, data, documentation, calculations, or results of its PLM analyses of cosmetic talc for the presence of chrysotile after the time that you were employed by MAS.

6. Any and all Documents and/or Communications (including but not limited to text messages and e-mails) between You and any other person or entity related to Your Former Laboratory's methodology, processes, SOPs, laboratory standards, data, documentation, calculations, or results of its PLM preparations of cosmetic talc for the subsequent analysis for the presence of chrysotile.

7. Any and all Documents and/or Communications (including but not limited to text messages and e-mails) between You and any other person or entity related to Your Former Laboratory's methodology, processes, SOPs, laboratory standards, data, documentation, calculations, or results of its PLM analyses of cosmetic talc for the presence of chrysotile.

8. Any and all Documents and/or Communications (including but not limited to text messages) between You and Dr. William Longo, any employee at MAS, or anyone acting on behalf of MAS related to Your departure from MAS in 2023.

9. Any and all Contracts entered into between You and Your Former Laboratory related to Your departure from MAS in 2023.